June 27, 2005

STATE WATER RESOURCES CONTROL BOARD
WORKSHOP SESSION--DIVISION OF WATER QUALITY
JULY 6, 2005

ITEM 7

SUBJECT

CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR SEDIMENT/SILTATION FOR THE NILAND 2, P, AND PUMICE IMPERIAL VALLEY DRAINS

DISCUSSION

The Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) adopted a revised Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) on November 17, 1993, which was approved by the State Water Resources Control Board (State Water Board) on February 17, 1994 and by the Office of Administrative Law (OAL) on August 3, 1994.

On January 19, 2005, the Colorado River Basin Water Board adopted Resolution No. R7-2005-0006 (Attachment), which would establish a TMDL for sediment/siltation for the Niland 2, P, and Pumice Imperial Valley drains and their tributary drains (Imperial Valley drains). The amendment would also establish a conditional Valley-wide prohibition on discharges of silt-laden tail water into Imperial Valley, including the Imperial Valley drains, New River, and Alamo River. The implementation plan would apply to all Imperial Valley drains that discharge directly into the Salton Sea.

The Basin Plan contains a narrative water quality objective that sediment discharges shall not be altered so as to affect beneficial uses of a water body. The Imperial Valley drains are listed as impaired on the Clean Water Act section 303(d) list of impaired waters, in part, because sediment concentrations violate this water quality objective. These beneficial uses include warm freshwater habitat, wildlife habitat, preservation of rare, threatened, or endangered species, water contact and non-contact water recreation, and freshwater replenishment.

A numeric target for sediment of 200 milligrams per liter is established for the three drains subject to the TMDL, which will require about a 50 percent reduction in sediment in these waters. Colorado River Basin Water Board staff has determined that this target should bring the drain waters into compliance with the Basin Plan objective. Implementation will be met by growers through a variety of management practices detailed in a self-determined Sediment Control Program over a time schedule consisting of four phases. Each phase consists of a two or three-year period, with interim load reductions for each phase. Compliance would be based on an annual average load. On June 27, 2001 and on June 26, 2002, the Colorado River Basin Water Board established sediment TMDLs for the Alamo and New Rivers, respectively. The approach used in establishing this TMDL is similar to that used for these previously approved TMDLs and also conforms to the State Water Board's Nonpoint Source Management Plan.

The amendment also includes some editorial changes to existing Basin Plan language by moving some existing text to other sections within the Basin Plan and making other non-substantive editorial changes in existing language.

POLICY ISSUE

Should the State Water Board approve the amendment to the Basin Plan in accordance with the Staff Recommendation below?

FISCAL IMPACT

State Water Board and Colorado River Basin Water Board staffs' work associated with or resulting from this action can be accomplished within budgeted resources.

REGIONAL WATER BOARD IMPACT

Yes, Colorado River Basin Water Board.

STAFF RECOMMENDATION

That the State Water Board:

1. Approves the amendment to the Colorado River Basin Water Board Basin Plan to incorporate a TMDL for sediment/siltation for the Imperial Valley drains.

2. Authorizes the Executive Director to transmit the amendment and administrative record for this action to OAL and the TMDL to the U.S. Environmental Protection Agency for approval.

D R A F T

June 27, 2005

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2005-

APPROVING AN AMENDMENT TO THE WATER QUALITY CONTROL PLAN FOR THE COLORADO RIVER BASIN REGION TO INCORPORATE A TOTAL MAXIMUM DAILY LOAD (TMDL) FOR SEDIMENT/SILTATION FOR THE NILAND 2, P, AND PUMICE IMPERIAL VALLEY DRAINS

WHEREAS:

1. The Colorado River Basin Regional Water Quality Control Board (Colorado River Basin Water Board) adopted a revised Water Quality Control Plan for the Colorado River Basin Region (Basin Plan) on November 17, 1993, which was approved by the State Water Resources Control Board (State Water Board) on February 17, 1994 and by the Office of Administrative Law (OAL) on August 3, 1994.

2. On January 19, 2005, the Colorado River Basin Water Board adopted Resolution No. R7-2005-0006 (Attachment) amending the Basin Plan to incorporate a TMDL for sediment/siltation for the Niland 2, P, and Pumice Imperial Valley drains (Imperial Valley drains).

3. Colorado River Basin Water Board staff prepared documents and followed procedures satisfying environmental documentation requirements in accordance with the California Environmental Quality Act, scientific peer review, and other State laws and regulations.

4. This Basin Plan amendment is consistent with the approach established for previously approved TMDLs for the Alamo and New Rivers and brings the entire Imperial Valley under the same numeric targets for sediment with a similar implementation plan.

5. A Basin Plan amendment does not become effective until approved by the State Water Board and until the regulatory provisions are approved by OAL. TMDLs must also be approved by the U.S. Environmental Protection Agency (USEPA).

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves the amendment to the Colorado River Basin Water Board Basin Plan to incorporate a TMDL for sediment/siltation for the Imperial Valley drains.

2. Authorizes the Executive Director to transmit the amendment and administrative record for this action to OAL and the TMDL to USEPA for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on July 21, 2005.

_____

Debbie Irvin
Clerk to the Board